THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.8842 of 2005

16.8.2005

Between:

K.V.Pullaiah @ Netha Pullaiah, S/o.Thippanna, Sarpanch of Gramapanchayat, R/o.OWK Village and Mandal, Kurnool District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep. by its Prl. Secretary,

Home Department, Secretariat, Hyderabad.
2 The Director General of police, Government of Andhra Pradesh, Lakdi-ka-pool, Hyderabad.
3 The Addl. Director General of police, Intelligence Department,

Govt. of A.P., Lakdi-ka-pool, Hyderabad.
4 The Superintendent of police, Kurnool District, Kurnool.
5 The Station House officer, OWK Police Station, Kurnool District.

.....RESPONDENTS

ORDER:

The petitioner is a resident of Owk village in Kurnool District. He successfully contested for the office of sarpanch of said Grama panchayat. At that time, on his request, the fourth respondent provided security with two police constables from 19.8.2001. It appears that on 03.3.2005 the police security was withdrawn. The petitioner, therefore, invoked the jurisdiction of this Court under Article 226 of Constitution of India seeking a direction the fourth respondent to continue the police escort to the petitioner.

The fourth respondent filed a counter affidavit stating that when the petitioner contested the election as sarpanch, Sri Ch.Amarnath Reddy, brother of Sri Ch.Ramakrishna Reddy, the then M.L.A. of Koilakuntla contested against him, and therefore, the police escort was provided for the petitioner. The petitioner was removed as sarpanch on 05.5.2005. The petitioner's house is adjacent to the Police Station in Owk and therefore, there was no threat perception to the life of the petitioner. Accordingly, the fourth respondent issued proceedings on 22.06.2005 – a copy of which is placed before this Court; observing that the police escort is not required. However, as directed by this Court in W.P.M.P.No.11662 of 2005, the

fourth respondent provided the police escort to the petitioner.

It is now fairly well settled that though it is the duty of the police to provide security to a person or group, whenever there is threat from opposite party, the same is subject to the police assessing threat perception to the life of such person. Even when, at a point of time, police security is provided on being satisfied that there is such threat perception to the life of a citizen, as held by this Court in **G. Subas Reddy v. State of A.P.** and **R.Venkateswara Rao v. State of A.P.**, such threat perception has to be constantly reviewed quarterly based on which the decision has to be taken to continue police escort or not. In this case, as seen from the proceedings of the fourth respondent dated 22.6.2005, on examining the representation of the petitioner, the competent authority came to the conclusion that police escort is not warranted and that there is no threat perception to the life of the petitioner. The writ petition is devoid of merits.

The writ petition is, accordingly, dismissed. No costs.

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(**V.V.S.RAO,J**)

August 16, 2005.

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